

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIDGESTONE AMERICAS TIRE  
OPERATIONS, LLC,

Civil Action No. 1:22-cv-1647

LEAR SIEGLER DIVERSIFIED  
HOLDINGS CORP., and

FERODO AMERICA, LLC,

Defendants.

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**PLAINTIFF UNITED STATES’  
UNOPPOSED MOTION TO ENTER PROPOSED CONSENT DECREES**

Plaintiff United States hereby requests that the Court enter the proposed Consent Decrees that were lodged with the Court on August 19, 2022. ECF No. 3-1; 3-2. There is no opposition to this motion.

The first Consent Decree (“BATO/Ferodo Consent Decree”) settles the United States’ claims against Bridgestone Americas Tire Operations, LLC (“BATO”), and Ferodo America, LLC (“Ferodo”), while the second Consent Decree (“Lear Siegler Consent Decree”) settles the United States’ claims against Lear Siegler Diversified Holdings Corp. (“Lear Siegler”). As set forth in Paragraph 38 of the BATO/Ferodo Consent Decree and in Paragraph 35 of the Lear Siegler Consent Decree, Defendants have agreed not to oppose entry of the Consent Decrees by the Court or to challenge any provision of the Consent Decrees unless the United States has notified the Defendants that it no longer supports entry of the Consent Decrees.

The United States published notice of the lodging of the proposed Consent Decrees in the Federal Register on August 25, 2022, for purposes of soliciting public comment on the proposed Consent Decrees, pursuant to 42 U.S.C. § 9622(d)(2) and 28 C.F.R. § 50.7. *See* 87 FR 52,418 (August 25, 2022). The notice provided a 30-day period for the public to provide comments. *Id.* The comment period has now elapsed, having ended on September 26, 2022, and the United States has received no comments from the public.

The United States' brief in support of this uncontested motion demonstrates that the proposed Consent Decrees meet the well-established standard for judicial approval of a CERCLA settlement negotiated by the federal government: it is fair, reasonable, and consistent with the goals of that statute. *See United States v. George A. Whiting Paper Co.*, 644 F.3d 368, 372 (7th Cir. 2011) ("the district court must approve a consent decree if it is reasonable, consistent with CERCLA's goals, and substantively and procedurally fair"). No proposed order is attached because each Consent Decree contains a signature block for the Court (on page 21 of the BATO/Ferodo Consent Decree and page 18 of the Lear Siegler Consent Decree).

The United States respectfully requests that the Court sign and enter the two Consent Decrees.

Respectfully Submitted,

Date: October 3, 2022

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Certificate of Service

I hereby certify that on October 3, 2022, I electronically filed the foregoing with the Clerk of the Court using the ECF system and electronically served a copy upon counsel for Defendants by email.

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